



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:

David K. Kovalic *et al.*

Appln. No.: 09/684,016

Filed: October 10, 2000

Title: Annotated Plant Genes

Confirm No: 9497

Art Unit: 1631

Examiner: Shubo Zhou

Atty. Docket: 16517.031

**APPELLANTS' AMENDED BRIEF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

***Attn: Mail Stop Appeal Brief - Patents***

Sir:

This is an Appeal from the Final Rejection of all claims pending in the above-referenced patent application. A Notice of Appeal was filed on September 17, 2003. An Appellant's Brief was filed November 17, 2003, at which time the statutory fee of \$320.00 for submitting an appeal brief was paid. This Amended Brief is submitted in response to the Office Communication mailed March 1, 2004 which alleged that the Brief filed August 28, 2003 was non-compliant with 37 C.F.R. 1.192(c). *This Brief is submitted in triplicate.*

**1. Real Party in Interest**

The real party in interest is Monsanto Company, a Delaware corporation with offices at 800 North Lindbergh Boulevard, St. Louis, Missouri 63167.

**2. Related Appeals and Interferences**

Applicants are unaware of any Appeals or Interferences related to this Appeal.